

FILED

JUL 27 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

MELNOR, INC.,

Plaintiff,

v.

SKR RESOURCES, INC., and
CHRISTOPHER COREY,

Defendants.

Civil Action No. 5:04CV00113

**MEMORANDUM OPINION AND
ORDER**

By: Samuel G. Wilson
United States District Judge

This matter is before the court on the motion of defendant SKR Resources, Inc. (SKR), who asks the court to certify as interlocutorily appealable or, in the alternative, to reconsider the court's June 23, 2005, denial of SKR's motion to change venue. The court finds that the issue of venue does not involve a controlling question of law and that immediate appeal would not materially advance the termination of this litigation.¹ See 28 U.S.C. § 1292(b). Further, having reviewed SKR's memorandum in support, the court finds no reason to reconsider its earlier decision to deny SKR's motion to change venue. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that SKR's motion is **DENIED**.

ENTER: This 27th day of July, 2005.

[Signature]
UNITED STATES DISTRICT JUDGE

¹SKR fails to explain how allowing an immediate appeal might expedite termination of the litigation. SKR does accurately state, "This litigation will not terminate until the issue of forum-selection clause enforcement is settled"; however, the court's June 23, 2005, order and this order have settled the forum-selection clause issue once and for all, clearing the way for litigation to proceed to its eventual end.